Crl. Rev. No. 334/01
(Old No. 1230/1998)

Hon'ble Irshad Hussain, J.

None appear for the revisionist. Heard Sri A.Rab Addl. G.A and perused the record.

The revision under section 397/401 of the Code of Criminal Procedure (for short 'Code') was preferred against the judgement and order dated 4.5.1998, whereby in criminal case no. 573/1995 the accused were held not guilty and acquitted of the charge under section 323/34, 504/34 and 506 IPC.

Perusal of the judgement reveal that the evidence of the prosecution witness was not found reliable. There was relevant evidence of injured-Virendra Singh which was considered at length by the learned Magistrate and it was noticed that his evidence was shaky and discrepant and there was probability that he sustained simple injuries after he had fallen from a hillock. Considering the same, there is no perversity in the appreciation of the evidence on record and therefore the revision being devoid of merit cannot be admitted and is dismissed in limine.

(Irshad Hussain, J.)

Dated 27.5.2004
Rawat